

Jim Doyle
Governor
Celia M. Jackson
Secretary

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



1400 E Washington Ave
PO Box 8935
Madison WI 53708-8935
Email: web@drl.state.wi.us
Voice: 608-266-2112
FAX: 608-267-0644
TTY: 608-267-2416

PHARMACY EXAMINING BOARD
Room 179A, 1400 East Washington Avenue, Madison
Contact: Tom Ryan (608) 266-8098
September 7, 2005
8:00 A.M.

CLOSED SESSION (Room 179A) – Screening panel – Screen informal complaints – Cynthia Benning, John Bohlman, Georgina Forbes and Division of Enforcement staff

9:00 A.M.

OPEN SESSION - CALL TO ORDER – ROLL CALL

Welcome New Appointment(s)

A. Approval of Agenda

B. Approval of Minutes of July, 27, 2005

Presentation of stipulations, final decisions and orders received in the Bureau after preparation of the agenda

DOE discipline and process improvement

DOE Meeting with FDA – update – Eric Callisto, Administrator, Division of Enforcement

Impairment Orders - discussion

C. Administrative Report

- Recognition by the Department and the Board of Susan Sutter's going off the Board and her commitment to the Pharmacy Examining Board
- Re-assignment of Susan Sutter's Board functions
- Report regarding mileage reimbursement
- Speaking request - Cindy Benning
- NABP Fall Educational Conference – December 2-4, 2005
- ACPE Invitation – Evaluation of UW Madison School of Pharmacy PharmD Program

Travel requests received in the Bureau after mailing of agenda

D. Prescription Records and Transfer of prescription order information

- Review of Clearinghouse Comments
- **PUBLIC HEARING - 9:30 a.m.**

E. Controlled Substances Theft and Loss Reporting

- Review of DEA final rule
- Review for approval of modification to Wis. Admin. Code § PHAR 8.02 (3)(f)

Wis. Admin. Code § 7.04 – return or exchange of health items

- Status

Hurricane Katrina Emergency Dispensing Policy - Board discussion and action

F. Remote dispensing Scope Statement – review for approval

- G. Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation, and any cases, rules and legislation received in the bureau after preparation of the agenda

Legislative Liaison Report – Sue Sutter

Out-of-state licensure – update – Mike Bettiga

Clarification of Existing Requirements Under the Controlled Substances Act for Prescribing Schedule II Controlled Substances

Internet pharmacy practices – Wayne A. Michaels, DEA Milwaukee Diversion Group supervisor
- **APPEARANCE – 10:30 a.m.**

- H. Proposal to the Pharmacy Examining Board from the Wisconsin Pain Initiative – June Dahl and Matt Bromley - **APPEARANCE 10:45 a.m.**

- I. Variance Requests – Wis. Admin. Code § PHAR 7.01 – Aurora Pharmacy, Inc. – Michael Bohrnstedt – Marinette, WI - **APPEARANCE 11:05 a.m.**

- J. Variance Request – Wis. Admin. Code § PHAR 7.01 – Mallatt Pharmacy, Inc. – John Flint, Jr. – Madison, WI

- K. Variance Request – Wis. Admin. Code § PHAR 7.01 – Sniteman Pharmacy – William C. Weiler, R.Ph. – Neillsville, WI

- L. Variance Request – Wis. Admin. Code § PHAR 7.01 – NeighborCare Pharmacy – Attorney Michelle Schuster (OH) – Madison, WI

Variance requests received in the bureau after mailing of the agenda

Practice Questions received in the bureau after mailing of the agenda

Licensing Liaison Report

- M. DEA Drug Theft and Loss Reports

Consultation work group – status – Cynthia Benning

- N. Report on Pharmacy School visit and planning for Patient Consultation Examination – Darwin Tichenor and Barb Showers

- O. State activity addressing the regulation of wholesale distributors – Board discussion

- P. Informational Items

- Q. Report on Wisconsin Pharmacy Forum Meeting, August 16

Motion to Invite New Appointment(s) Into Closed Session

Application issues received in the Bureau after mailing of agenda

Education and examination issues received in the Bureau after mailing of agenda

CONVENE TO CLOSED SESSION to deliberate on case(s) following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and 440.205); to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g))

Deliberation of stipulations, final decisions and orders received in the bureau after preparation of the agenda

- R. Consideration of administrative warning in Case 04 PHM 089

- S. Review of administrative warning issued in case 05 PHAR 002 – **APPEARANCE - 11:50 a.m.**

- T. Application Review – Mahdi Cezar

- U. Application Review – Nancy Wolfe

DOE Monitoring:

Deliberation of monitoring reports that may be received in the bureau after preparation of agenda

- V. Requesting three month stay and modifications – Michael Hiller, RPh

- W. Requesting three month stay and modifications – Donald Leetz, RPh

- X. Petition for reconsideration of Board denial of petition for extension of time for payment of costs in the matter of disciplinary proceedings against Neil Noesen, R.Ph.

Deliberation of proposed stipulations that may be received in the bureau after preparation of agenda

Deliberation of proposed decisions that may be received in the bureau after preparation of the agenda

Consider closing(s) of disciplinary investigation(s) with administrative warning(s) that may be received in the bureau after preparation of the agenda

Consider or review of administrative warning(s) received in the bureau after preparation of the agenda

Matters relating to costs received in the bureau after preparation of the agenda

Division of Enforcement – case status reports and case closings

Division of Enforcement – meeting with individual board members

Review of Applications that may be received in the bureau after preparation of agenda

Consulting with legal counsel

Examination issues received in the bureau after preparation of the agenda

Application Issues received in the bureau after preparation of the agenda

Validation of Examination Scores

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on items deliberated or considered in closed session if voting is appropriate

ADJOURNMENT